

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:11cr107

UNITED STATES OF AMERICA,)

)

)

vs.)

)

)

JAMES DOUGLAS KEITH.)

)

ORDER

THIS MATTER is before the Court on a letter received from the Defendant on May 13, 2013 [Doc. 58].

The Rules of Practice and Procedure of the United States District Court for the Western District of North Carolina contain the following prohibition:

Except for challenges to the effective assistance of counsel, the Court will not ordinarily entertain a motion filed by a criminal defendant who is still represented by counsel and has not formally waived his or her right to counsel in the presence of a judicial officer after being fully advised of the consequences of waiver.

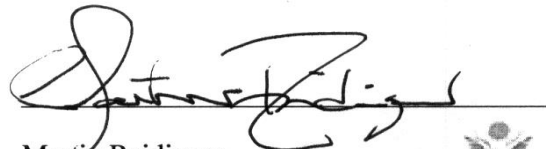
L.Cr.R. 47.1(H).

The Defendant is represented by counsel and the Court will not entertain *pro se* filings. Nor would the Court be authorized to grant the

relief requested in any event. The Defendant was sentenced on April 3, 2013. [Doc. 55]. This Court has no authority or jurisdiction to modify the Judgment of Conviction. Fed.R.Crim.P. 35.

IT IS, THEREFORE, ORDERED that the Defendant's *pro se* letter [Doc. 58], construed as a motion for relief, is hereby **DENIED**.

Signed: May 21, 2013


Martin Reidinger
United States District Judge

